

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

JILLIAN TAIT, a minor, by and through  
JENNIFER R. TAIT, her parent and  
natural guardian, individually and on  
behalf of all other similarly situated  
individuals,

Plaintiffs,

vs.

BUTLER AREA SCHOOL DISTRICT,  
MARY WOLF, GLENN TERWILLIGER  
and DALE R. LUMLEY Ph.D.

Defendants.

CIVIL DIVISION

No. 2:17-cv-00182-AJS

**JURY TRIAL DEMANDED**

**MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

AND NOW, comes the Representative Plaintiff, Jillian Tait, a Minor, by and through Jennifer R. Tait, her Parent and Natural Guardian, individually and on behalf of all other similarly situated individuals, by and through their counsel, Douglas J. Olcott, Esquire, Caitlin M. Harrington, Esquire, of the law firm of Dallas W. Hartman, P.C., and Brendan B. Lupetin, Esquire, and the law firm of Meyers Evans Lupetin & Unatin, LLC and files the following Motion for Voluntary Dismissal without Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2):

1. It is the desire of Representative Plaintiff to voluntarily dismiss the instant lawsuit without prejudice pursuant to F.R.C.P. 41(a)(2).
2. Representative Plaintiff has not previously dismissed any federal- or state-court action based on or including the same claim.

3. Representative Plaintiff's counsel has discussed this motion with all of the defendants.

None of the defendants in this lawsuit oppose this motion.

WHEREFORE, Representative Plaintiff requests this Court enter an Order granting the instant request to voluntarily dismiss Plaintiff's federal lawsuit without prejudice.

Date: June 13, 2017

/s/ Brendan B. Lupetin  
Brendan B. Lupetin, Esquire

**CERTIFICATE OF SERVICE**

I, Brendan B. Lupetin, Esquire, hereby certify that on this date a true and correct copy of the foregoing **Motion for Voluntary Dismissal without Prejudice** was served electronically upon the following:

**ALL COUNSEL OF RECORD**

MEYERS EVANS LUPETIN & UNATIN, LLC

Date: June 13, 2017

By: /s/ Brendan B. Lupetin, Esquire  
Brendan B. Lupetin, Esquire